

Patent Application  
Docket No. 49447-2USPX

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul North Bateman  
Serial No.: 09/658,302  
Filed: September 8, 2000  
Batch No. Z99  
NOA Mailed: November 8, 2001  
For: Separation and Detection of Spermatozoa  
Docket No.: 49447-00002USPX

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Commissioner for Patents  
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**TRANSMITTAL OF SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. § 1.67 (a) and (b)**

Transmitted herewith is a Supplemental Declaration meeting the requirements of 37 C.F.R. § 1.63  
which as been amended to contain a claim for priority as required by 35 U.S.C. § 119 (b) as requested by the  
Examiner in the Notice of Allowance mailed November 8, 2001.

Respectfully submitted,

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DOCKET NO.: 49447-2USPX

PATENT

### COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### SEPARATION AND DETECTION OF SPERMATOZOA

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☒ was filed on September 8, 2000  
as Serial No. 09/658,302
- (c) ☐ was described and claimed in PCT International Application  
No. \_\_\_\_\_  
filed on \_\_\_\_\_  
and as amended under PCT Article 19  
On \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35 United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate(s), or of any PCT International application(s) designating at least one country other than the United States listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s), or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

- (a) ☐ No such applications have been filed.
- (b) ☒ Applications have been filed as follows:

#### Prior Foreign/PCT Application(s) Filed Within Twelve (12) Months (6 Months for Design) Prior to This Application and Any Priority Claims Under 35 U.S.C. § 119(a)-(d)

Country (or indicate if PCT)	Application No.	Date of Filing (Day/Month/Year)	Priority Claimed Under 35 USC 119
Great Britain	9817795.9	August 14, 1998	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

#### Claim for Benefit of Prior U.S. Provisional Application(s) (35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Date of Filing</u> <u>Month/Day/Year</u>	<u>Status (Pending, abandoned, patented)</u>
____/____/____	____/____/____	_____
____/____/____	____/____/____	_____

**Claim for Benefit of Earlier US/PCT Application(s) Under 35 U.S.C. § 120**

I hereby claim the benefit under Title 35 United States Code, § 120, of any United States or PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56, that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application (37 C.F.R. 1.63(e)).

<u>Application No.</u>	<u>Date of Filing</u> <u>Month/Day/Year</u>	<u>Status</u>
PCT/GB99/02685	August 13, 1999	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
____/____/____	____/____/____	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

**All Foreign Application(s), if any, Filed More Than Twelve Months**  
**(6 Months for Design) Prior to This U.S. Application**

<u>Application No.</u>	<u>Date of Filing</u> <u>Month/Day/Year</u>	<u>Status</u>
____/____/____	____/____/____	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
____/____/____	____/____/____	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

As a named inventor, I hereby appoint the following practitioner(s) with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:


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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Paul North Bateman		24 <sup>th</sup> JAN '02
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